

**STATE FIRE COMMISSION MEETING  
Glade Springs Resort  
Daniels, WV  
December 5, 2014**

The official business meeting was called to order at 9:00 AM by Chairman Carl Sizemore.

**COMMISSIONERS PRESENT:**

Robert S. Miller	Larry Goodwin
Rick Scott	Carl Sizemore
Virgil White	Dave Camp
Grant Gunnoe	Ted Shriver
Vic Stallard	John Holstein (by phone)
Tom Keefer	Rick Scott

**COMMISSIONERS ABSENT:**

Doug Mongold	Gary Bonnett
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**APPROVAL OF MINUTES**

Commissioner White made a motion to accept and approve the minutes of the October 22, 2014 regular meeting. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

**COMMITTEE REPORTS:**

Training Committee-

**STATE FIRE COMMISSION  
Training Committee Meeting  
Glade Springs Resort & Conference Center  
Daniels, WV  
December 4, 2014**

The Fire Department Services Committee meeting was called to order at 11:06 AM by Chairman White.

**COMMISSIONERS PRESENT:**

Virgil White  
Robert S. Miller  
Vic Stallard  
Rick Scott

## **COMMISSIONERS ABSENT:**

John Holstein

## **UNFINISHED BUSINESS:**

Chairman White requested an update on the 87CSR8 approval process. Counsel and SFM Carrico advised the Committee of the delays in the Legislative approval and the potential issues which could push approval of the Rule to the 2016 Session.

Commissioner Stallard sought input from the State Fireman's Assoc. ("SFA"), RESA, and others about the prospect of converting the Rule to Policy, or in the alternative, amending the Rule to broadly require core classes but to have the specifics spelled out in Policy of the Commission. Commissioner Stallard requested to have the SFA leadership to inform the Commission of their wishes on the issue to avoid having to go through the Legislative process each time there is any change in Rule.

WV Traffic Incident Management. Commissioner Stallard moved to refer the representative of the TIMS class to the training providers (RESA/WVU) as there is not a correlating NFPA standard. Commissioner Scott second. Motion carried.

## **NEW BUSINESS:**

Update from DSFM Lambert on the Fire Investigator 1, 2 and 3 curriculum. FI1 will be Chapters 1-8, 10 and 17. DSFM Lambert will be providing presentations on the specific curriculum once the publisher gives him authority to publish.

No update from WVU.

RESA updated they provided their Annual Report. They educated over 47,000 students. Chairman White requested information from RESA on technical rescue core courses. RESA provided information to the Committee. Due to some confusion and disagreement on procedure and requisites, Commissioner Stallard requested the information be provided on the website. RESA indicates they have done so but will work with educating the fire service on the requirements.

Commissioner Stallard had to leave but a quorum of the Committee remained.

Chairman White had issues with the test being offered on the technical rescue core courses actually testing on the entire series of aspects being taught (*ie* testing is predominantly on rope rescue versus being an across the board test on all the aspects taught as part of the course). RESA explained it is due to the NFPA standards being taught and tested. If a different curriculum is provided to they would contemplate changing the course development and testing.

## **ADJOURN**

Commissioner Miller made a motion to adjourn. Commissioner Scott seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Disciplinary Committee –

**STATE FIRE COMMISSION  
Disciplinary Committee Meeting  
Glade Springs Resort & Conference Center  
Daniels, WV  
December 4, 2014**

The Fire Department Services Committee meeting was called to order at 4:26 PM by Chairman Scott.

**COMMISSIONERS PRESENT:**

Rick Scott  
Ted Shriver  
Dave Camp

**COMMISSIONERS ABSENT:**

Gary Bonnett

Commissioner Shriver moved to go into executive session. Seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commission heard from staff concerning the cases brought before the Committee.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-94. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Marlinton VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-83. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Valley Grove VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-83. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp

made a motion to grant 180 day extension for the Marlinton VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-84. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Washington Lands VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-87. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Ellamore VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-86. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Danville VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-88. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Bramwell VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-91. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Renick VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to find probable cause exists of violations of 87CSR8 under case 2014-92. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Camp made a motion to grant 180 day extension for the Marmet VFD. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to table 2014-93. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to table 2014-01-HI. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-06 was withdrawn from the agenda as it has been dealt with in the October meeting.

**ADJOURN**

Commissioner Camp made a motion to adjourn. Commissioner Shriver seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Legislative Codes & Regulations Committee-

**STATE FIRE COMMISSION**

**Legislative, Codes and Regulatory Committee Meeting**

**Glade Springs Resort & Conference Center**

**Daniels, WV**

**December 4, 2014**

The Legislative, Codes and Regulatory Committee meeting was called to order at 1: PM by Chairman White.

**COMMISSIONERS PRESENT:**

Ted Shriver  
Larry Goodwin  
Tom Keefer  
Vic Stallard

**COMMISSIONERS ABSENT:**

Gary Bonnett

**UNFINISHED BUSINESS:**

City of Hurricane Ordinance – Chairman Shriver provided report from AAG Greenlief indicating a hearing was going to be today. She would provide an update to the Chair after the hearing. It appears the City has repealed the affected ordinance and the issues relating to the Commission will become moot.

In regard to the City of Anmoore, City of Lumberport and the City of Salem, the Committee heard from

Commissioner Keefer moved to grant the City of Anmoore's request for provisional status. Commissioner Goodwin seconded. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Keefer moved to conditionally grant the City of Lumberport's request for provisional status conditioned upon the City amending their ordinance to include "Fire Protection of Floors" and "Exceptions" sections of the Model code. Seconded by Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Keefer moved to conditionally grant the City of Salem's request for provisional status conditioned upon the City's final passage of the ordinance as presented. Seconded by Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

The issue of HomeSpection was tabled as no additional information had been received by the Commission or Marshal since the last meeting.

Chairman Shriver and the panel discussed having a draft version of the 87CSR7 (BCO) Rule prepared. Bob Cannon, President of the WVCOA, indicated he would seek additional input from his Association at their meeting next week. If nothing in addition to those comments directed in October exist, he will inform the Commission. A working group should be set up in February to work through the development of the Rule. The tentative final version will then be present to the WVCOA for review and consideration at the March meeting. The Agency approved Rule will then be filed with the State in April. These working group sessions will also work on the Building Code (87CSR4) and Fire Code (87CSR1). Chairman Shriver will make contact with stakeholders on input.

### **NEW BUSINESS:**

Update from Counsel on Legislative issues on 87CSR8.

### **ADJOURN**

Commissioner Keefer made a motion to adjourn. Commissioner Goodwin seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Fire Department Services Committee –

**STATE FIRE COMMISSION  
Fire Department Services Committee Meeting  
Glade Springs Resort & Conference Center  
Daniels, WV  
December 4, 2014**

The Fire Department Services Committee meeting was called to order at 10:03 AM by Chairman Robert Miller.

**COMMISSIONERS PRESENT:**

Robert S. Miller  
Larry Goodwin  
Carl Sizemore (for Mongold)  
Dave Camp  
Grant Gunnoe

**COMMISSIONERS ABSENT:**

Doug Mongold

Chairman Miller requested staff, ASFM Provaznik, to present the equivalency applications to the Committee.

Staff presented the following applications for equivalency and the documentation accompanying the applications for:

- 1) James Helton of the Marlinton VFD for Fire Officer 1 & 2
- 2) Thomas McKinney of the Fairmont FD for Fire Officer 1 & 2
- 3) James McClung of the Wilderness VFD for Fire Officer 1
- 4) Frederick Misenhelder of the Valley Grove VFD for Fire Officer 1 & 2
- 5) Gary Trippett of the Fairmont FD for Fire Officer 1 & 2
- 6) Harold Lowther of the Gilmer County VFD for Fire Officer 2

Commissioner Goodwin moved to deny the application of Harold Lowther, seconded by Commissioner Sizemore. Motion carried.

Commissioner Gunnoe moved to approve the applications of James Helton, Thomas McKinney, James McClung, Frederick Misenhelder, Gary Trippett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Chairman Miller requested staff to present the fire department recertifications to the Committee.

Staff presented for recertification and documented the prior violations for the following fire departments upon request of Commissioner Gunnoe:

- 1) Lakewood VFD
- 2) Alderson VFD
- 3) Barrackville VFD
- 4) Mathias Baker VFD
- 5) Ballard VFD
- 6) Upper Tract VFD

- 7) Fairview VFD
- 8) Oakvale VFD
- 9) Lawrenceville VFD
- 10) Brookhaven VFD

Commissioner Goodwin moved to approve for recertification the 10 fire departments as presented by staff. Seconded by Commission Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

ASFM Provaznik informed the Committee of the progress and difficulties in fire department evaluations around the state. Funding is a big issue in meeting the demands.

Commissioner Gunnoe inquired of the impact of the new FD policy on paid fire department evaluations. Only Dunbar FD has been evaluated under the new policy. Several combination departments have been evaluated as well. No issues have developed of note.

### **ADJOURN**

Commissioner Goodwin made a motion to adjourn. Commissioner Gunnoe seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

### **Operations Committee-**

## **STATE FIRE COMMISSION Operations Committee Meeting Glade Springs Resort & Conference Center Daniels, WV December 4, 2014**

The Fire Department Services Committee meeting was called to order at 2:25 PM by Chairman Gunnoe.

### **COMMISSIONERS PRESENT:**

Grant Gunnoe  
Virgil White  
Tom Keefer

### **COMMISSIONERS ABSENT:**

Doug Mongold  
John Holstein

Chairman Gunnoe requested staff to present Divisional reports and respond to an inquiry by Chair Gunnoe of status on the Policy and Procedure Manual as well as Public Fire Safety Education.

DSFM Leake informed the Committee of the Inspection and Plans Review Division for 10/14 – 12/14.

DSFM Lambert informed the Committee of the Investigation Division for 10/14 – 12/14.

ASFM Provaznik informed the Committee of the Fire Department Services Division for 10/14 – 12/14.

SFM Carrico presented a PowerPoint presentation of the status of the Policy and Procedure Manual. Chair Gunnoe and Commissioners applauded the work to this date.

SFM Carrico then presented to the Committee the historical information for the past 5 years of Fire Safety Education, the role of DSFM Nolte (ret.), the activities since her retirement and issues relating to replacing that position, budget cuts of 7.5% annually for past 2 years (15%) in that program, expenditure costs for public service advertising, and future plans to create and hire a Public Information Specialists (PIS) 3, PIS 1 and possibly an Office Assistant for the Public Education and Information Division.

### **ADJOURN**

Commissioner White made a motion to adjourn. Commissioner Keefer seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

### **UNFINISHED BUSINESS**

Commissioner Scott leaves the room.

City of Clarksburg; Counsel spoke and gave an update. Chairman Sizemore and counsel will be in court on Wednesday. Jennifer Baily is the judge.

Commissioner Scott returned to the meeting.

### **NEW BUSINESS**

City of Kenova; has been sent a draft consent order and we are waiting on it to be signed. Hopefully it will be considered at the next meeting.

Election of Officers; Commissioner Goodwin nominates Sizemore for Chairman seconded by Commissioner Scott. Commissioner Shriver made a motion to close nominations seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote the motion passed.

Commissioner White nominated Commissioner Gunnoe to Vice Chairman seconded by Commissioner Miller. Commissioner Shriver made a motion to close the nominations seconded by Commissioner Scott. With all the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Gunnoe nominates Commissioner Goodwin for secretary seconded by Commissioner Keefer. Commissioner Keefer makes a motion to close the nominations seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote the motion passed.

Commissioner White made a motion to accept the names and nominations seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote the motion passed.

### **CORRESPONDENCE**

Deputy Leake says the inspection division will let cities know when they are going to inspect buildings.

City of Bridgeport letter complaint about Building Code Official rule will try to be cleaned up and Counsel will write a letter.

### **GOOD OF THE ORDER**

Commissioner Stallard talks about the spreadsheet he sent out on fire service fees or levy's. He encouraged everyone to check on the surrounding counties.

Commissioner Scott would like to thank everyone for the cards and letters with his mother's passing.

Mr. Porter would like to address the Commission. Fire coordinator for Logan County spoke about training, embezzlement and feels the boards over fire departments need training.

### **TIME AND PLACE OF NEXT MEETING**

Charleston February 24<sup>th</sup> and 25<sup>th</sup>.

### **ADJOURN**

Commissioner White made a motion to adjourn. Commissioner Goodwin seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.